

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Tribal Welfare Department – Revision Petition filed by Sri Golla Lokaradhya S/o late Golla Ramachandra Naidu, against the Proceedings of the District Collector, Chittoor District – under section 8(1) of The Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (AP Act No. 16/1993) – Revision Petition allowed – Orders Issued.

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**SOCIAL WELFARE (CV2) DEPARTMENT**

**G.O.MS.NO. 65**

**Dated. 19.11.2011.**  
**Read the following.**

1. From the District Collector, Chittoor Proceedings No. Roc. C3/28073/1997, dated: 05.12.2004.
2. Appeal Petition of Sri Golla Lokaradya S/o late Golla Ramachandra Naidu, dated. 22.12.2004.
3. G.O.Ms.No. 81 SW (CV.2) Dept., dated. 08.10.2005.
4. From the District Collector, Chittoor Proceedings No. Roc. C3/10897/2006, dated: 28.12.2007.
5. Orders of High Court A.P., Hyderabad in WP. No. 23371/2005, dated. 13.10.2006.
6. Revision Petition of Sri Golla Lokaradhya S/o late Golla Ramachandra Naidu, dated. 02.01.2008 received through M (TW& RIAD), dated.07.01.2008.
7. Government Memo No. 295/CV.2/2008, SW(CV.2) Dept., Dated.31.01.2008.
8. From the District Collector, Chittoor, Lr. No. Roc. C3/10897/2006, dated. 20.02.2008.
9. Government Letter No. 295/CV.2/2008, SW(CV.2) Dept., dated. 02.09.2009.

**ORDER:**

In the reference 1<sup>st</sup> read above, the District Collector, Chittoor have issued orders canceling Scheduled Tribe certificate obtained by Sri Golla Lokaradya S/o late G. Ramachandra Naidu R/o H.No.6-93, Vijayalakshmi Colony, Santhapet, Chittoor District, from the then Tahsildar, Chittoor.

2. In the reference 2<sup>nd</sup> read above, Sri Golla Lokaradya has filed appeal petition before the Government against the orders of the District Collector, Chittoor. After examining the said Appeal Petition Government have issued orders in the reference 3<sup>rd</sup> read above by rejecting the appeal petition of Sri Golla Lokaradya duly confirming the orders passed by the District Collector, Chittoor.

3. Aggrieved by the said orders, Sri Golla Lokaradya has filed W.P. No. 23371 of 2005 in A. P. High Court with a prayer to suspend the operation of order passed by the 2<sup>nd</sup> respondent (in the reference 4<sup>th</sup> read above) in proceedings No. Roc. C3/10897/2006, dated: 28.12.2007 which are confirmed by the Government in G.O.Ms. No. 81, SW (CV.2) Department, dated 08.10.2005 is arbitrary, illegal and consequently set aside the same. In the reference 5<sup>th</sup> read above, the Hon'ble High Court of Andhra Pradesh, Hyderabad in WP No. 23371 of 2005 has set aside the orders issued in the reference 3<sup>rd</sup> read above and remitted the matter to the Government with a direction to dispose of the Review Petition filed by the petitioner against the orders of the District Collector, Chittoor dated 28.12.2007.

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4. In the reference 6<sup>th</sup> read above, Sri Golla Lokaradya has filed a Revision petition before the Government against the orders of the District Collector, Chittoor, dated 28.12.2007 and the same was admitted and the District Collector, Chittoor was called for parawise remarks and connected records in the reference 7<sup>th</sup> read above.

5. In the reference 8<sup>th</sup> read above, the District Collector, Chittoor has furnished the parawise remarks and original connected records of Sri Golla Lokaradya.

6. In the reference 9<sup>th</sup> read above, the Revision petitioner was requested to attend for personal hearing on 19.09.2009 before the Government.

7. After careful examination of the records and proceedings of the District Collector, Chittoor dated.28.12.2007, grounds and written arguments submitted by the Revision petitioner, and having considered the arguments of either side and documentary evidences adduced the following points are considered in order to make a correct appraisal of G. Ramachandra Naidu F/o Sri Golla Lokarady's (Appellant) "Yerukula" S.T status.

- i) Petitioner's father Sri G. Ramachandra Naidu was selected and appointed as District Munsif in the year 1961. He was treated as a member of ST as he belongs to "Yerukula Tribe". At the time of initial appointment enquiry was conducted, on the basis of enquiry report, he was treated as ST. While he was in service, at the instance of some people, enquiry was ordered by the Hon'ble High Court and the District Judge, Chittoor has submitted a report on 24.12.1968 holding that Sri G. Ramachandra Naidu is a member of ST, Yerukula and there is no falsification of his caste status. The said report was accepted and confirmed by the Hon'ble High Court of Andhra Pradesh.
- ii) That apart, the daughter of Sri G. Ramachandra Naidu- Smt. Swarnalatha was also selected as District Munsif and she was undergoing training, orders were issued by the Government disbanding her appointment as judicial officer with effect from 3.3.1992 on the ground that she does not belong to "Yerukula" tribe but belongs to Ekiri community" which is not a ST. Against this order Writ Petition No. 3706 of 1992 was filed and High Court by an order dt. 2.7.1992 allowed the Writ Petition quashing the impugned order holding that the proceedings initiated against her are unwarranted on the ground that there was an enquiry conducted against the social status of her father Sri G. Ramachandra Naidu who was District and Sessions Judge.
- iii) It is apt and relevant to mention that the Respondents conducted an enquiry in 2004 against the appellant is "incompetent" since in the "previous enquiry" held in 1968 against the appellant's father Sri G. Ramachandra Naidu, it was already categorically held on the basis of evidence that the appellant's father belongs to "Yerukula" caste – a ST. In that previous enquiry report dt.27.12.1968 also it was stated that enquiry held "once again" on the same point of the caste which was settled by the Government is incompetent. That means the enquiry conducted in 1968 was the secondary enquiry. There after in 1998, 1999 and again in 2002 the "appellant Golla Lokaradya" was summoned for verification of his caste. Thus as many as six enquiries are conducted with inordinate time consumption against the appellant's caste issue.
- iv) Further, when the caste of the appellant's father Golla Ramachandra Naidu is confirmed as "Yerukala"(ST) the caste of his son also is "Yerukala" by birth. Therefore, the impugned order of the District Collector that the appellant has obtained the "Yerukala" (ST) caste certificate by fraudulent means is not sustainable.

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- v) Appellant G.Lokaradya S/o Late Ramachandra Naidu's – "Yerukala caste certificate" vide No.1425/74 dated: 21-08-1974 issued by the then Tahsildar Chittoor about 35 years ago was cancelled by the District Collector, Chittoor through his proceedings ROC. C3/10897/06 dt 28.12.2007 alleging that the appellant does not belong to "Yerukala" community, Schedule Tribe, is also not sustainable.
- vi) The District Collector, Chittoor solely relied upon the enquiry report given by the Revenue Divisional Officer Chittoor, wherein the said officer, in his enquiry report referred to some other person by name "G.RamaChandra Naidu S/o G.Guruppa Naidu", who is no way related to the family of the appellant. Actually the name of the appellant's father is Ramachandra Naidu S/o G.Gurumurthy Naidu. The RDO have obtained some records from Giri Rao, Theosophical High School, Madanapalle, related to G.Ramachandra Naidu S/o G.Guruppa Naidu. The RDO claims this to be irrefutable and clinching evidence. The date of birth of the said person is shown as 15-07-1927. The caste of the person was mentioned in the records as "BALIJA".
- vii) Thus documents obtained by RDO Chittoor does not relate to appellant's father. Actually appellant's father G.Ramachandra Naidu joined IV Form at Board School, Chittoor in the year 1940. The said school records show appellant's father caste as "Yerukala" and his date of Birth as 4-7-1926. in the said school records appellants father's name is shown as G.Ramachandra Naidu S/o Gurumurthy Naidu. The true Copy of the SSLC – Certificate bearing Sr.No.68133 – enclosed by the appellant corroborates this fact.
- viii) Another document relied by the then RDO Chittoor was from Beasant Theosophical college, Madanapalle. Here again the person is shown as Ramachandra Naidu S/o Guruppa Naidu at Sr.No.2146 and his date of Birth is 15-7-1927. To disprove the clinching evidence relied upon the then RDO Chittoor – appellant enclosed a certified true copy of the register of admission and withdrawals Besant Theosophical College, Madanapalle relating to his father G.Ramachandra Naidu S/o G.Gurumurthy Naidu – wherein appellants father name is at Sl. No. 2179 and the caste is mentioned as N.B.Erukula". Thus the RDO based his perfunctory findings and submitted as hasty report to the District Collector which is no way related to appellant's father.
- ix) After completion of education appellant's father G.Ramachandra Naidu S/o Late G.Gurumurthy Naidu – joined in Revenue Department in the year 1949 and as per his service book the caste is mentioned as "Yerukala – Hindu" dated as 18-7-1947 and was issued by the then Sub-collector and it is clearly mentioned that G.Ramachandra Naidu S/o Gurumurthy Naidu belongs to "Yerukala" caste.
- x) Appellants father G.Ramachandra Naidu S/o Gurumurthy Naidu sent an application to the Public Service Commission for the post of District Munsif in the year 1961. In that he categorically claimed that he belongs to "Yerukala" caste. During his employment as a judicial Officer, the Hon'ble High Court of Andhra Pradesh an enquiry was conducted by appointing District Judge, Chittoor as Enquiry Officer and the matter was thoroughly enquired into. It was stated in the report that they made enquiry through a judicial second class Magistrate, District Munsif and this matter was thoroughly enquired into by the Service Commission and by the Government through Police department and also through the then District Collector Sri B.K.Rao, IAS and the Government decided the caste of appellant's father G.Ramachandra Naidu as "Yerukala" ST and  
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also it was published in the Gazette. The said report was accepted by the Hon'ble High Court of Andhra Pradesh and held that G.Ramachandra Naidu has not falsified his caste and he belongs to "Yerukala" caste. Finally, Ramachandra Naidu i.e appellant's father successfully retired as District and sessions judge on completion of his superannuation.

- xi) The impugned order passed by the Respondent ie., District Collector holding that the appellant who is the son of late Sri G. Ramachandra Naidu is not "Yerukula- ST" is untenable and the cancellation of appellants caste certificate by the District Collector, Chittoor is based on surmises and suspicions and conjectures and not on the basis of any reliable and unimpeachable evidence.

8. Government after careful examination of all these authentic reasons stated supra and hence in exercise of the powers conferred under section 8(1) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community certificates Act 1993 ( Act No16 of 1993), hereby allowed the Revision Petition filed by Sri G. Lokaradya, since it is observed that there is no falsification of the Yerukala caste by Sri G. Ramachandra Naidu the appellant's father. Hence as a natural consequence and to meet the ends of justice, the Proceedings of the District Collector Chittoor issued in his proceedings Roc. C3/10897/06, dt.28.12.2007 canceling the ST Yerukula caste certificate is hereby set aside, by upholding the ST Yerukala community certificate obtained by Sri Golla Lokaradya S/o Sri Golla Ramachandra Naidu from the then Tahsildar, Chittoor in C.No. 1425/74, dated 21.08.1974.

9 The District Collector, Chittoor shall take necessary action in the matter.

10. The records (containing No. (1)R Dis. 28073/1997 c.f.p 01 to 399, n.f.p:01 to 22 Total 421 and (2) Roc. C3/1212/2005 c.f.p 01 to 542, n.f.p 1 to 10 Total 552 ) received from District Collector, Chittoor District, through reference 8<sup>th</sup> read above, are returned herewith in original to the District Collector and he is requested to acknowledge the receipt of the same, immediately.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**Dr.A.VIDYASAGAR**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To

The District Collector, Chittoor (By RPAD) (with original records).

Sri Golla Lokaradya S/o Golla Ramchendra Naidu  
R/o H.No.29/56, Maheshwari Nilayam, Bungalow School Back side,  
Laxmi Nagar Colony Palamaner-517408  
Chittoor District,

Sri Abhinand Kumar Shivili (4052), Advocate, Flat No. 106, Express Aprts., 'A'  
Block, Opp: Brindavan Aprts., Niloufer Hospital Road,  
Red Hills, Lakdikapool, Hyderabad-500004

**Copy to:**

P.S. to M (TW)

P.S. to Principal Secretary (TW)

Commissioner of Tribal Welfare, AP., Hyderabad.

The Director, TCR&TI, AP, Hyderabad.

SF/SC.

**// FORWARDED :: BY ORDER //**

**SECTION OFFICER**